

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eric G. Lovett et al.

Title: RATE SMOOTHING CONTROL

Docket No.: 279.353US1

Serial No.: 10/017,800

Filed: December 12, 2001

Due Date: August 25, 2006

Examiner: George Robert Evanisko

Group Art Unit: 3762

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- Response to Notice of Non-Compliant Appeal Brief (1 pg.).
 Appeal Brief (20 pgs.).

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

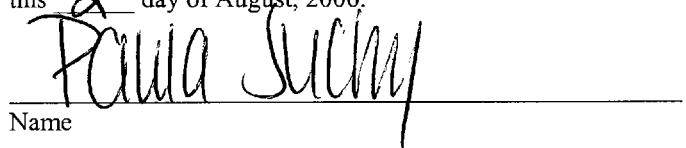
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 21186



By: 
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Reg. No. 55,666

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 25 day of August, 2006.


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SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

(GENERAL)

S/N 10/017,800

PATENT

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RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

MS APPEAL BRIEF - PATENTS

Commissioner for Patents

P.O. Box 1450

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In response to the Notice of Non-Compliant Appeal Brief dated July 25, 2006, Appellants submit herewith an Appeal Brief which corrects the defects noted at paragraphs 2 and 7 of the Notice.

The Examiner is invited to telephone Appellants' attorney at 612-371-2117 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

ERIC G. LOVETT ET AL.

By Applicants' Attorneys,

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8-2-2006

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Zhengnain Tang
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Name

Paula Suchy

Signature

Paula Suchy